



General Assembly

January Session, 2019

***Raised Bill No. 869***

LCO No. 4027



Referred to Committee on TRANSPORTATION

Introduced by:  
(TRA)

***AN ACT CONCERNING RECOMMENDATIONS BY THE  
CONNECTICUT AIRPORT AUTHORITY REGARDING NONBUDGETED  
EXPENDITURES, THE CONNECTICUT AIRPORT AND AVIATION  
ACCOUNT AND THE SECURITY EXEMPTION UNDER THE FREEDOM  
OF INFORMATION ACT.***

Be it enacted by the Senate and House of Representatives in General  
Assembly convened:

1 Section 1. Subsection (b) of section 15-120dd of the general statutes  
2 is repealed and the following is substituted in lieu thereof (*Effective*  
3 *from passage*):

4 (b) Notwithstanding the provisions of subdivision (3) of subsection  
5 (a) of this section, the board of directors may authorize the executive  
6 director to make nonbudgeted expenditures of up to [five hundred  
7 thousand] one million dollars without prior board approval (1) to  
8 restore operations at any airport owned or operated by the authority, if  
9 such airport or the equipment of such airport is damaged as a result of  
10 a natural disaster or incurs a substantial casualty loss that results in an  
11 unsafe condition, or (2) where the failure to act would result in a  
12 disruption of airport operations. Not later than twenty-four hours after  
13 the executive director makes such nonbudgeted expenditure, the

14 executive director shall provide notification to the chairperson or vice  
15 chairperson of the board of the amount of, and reason for, such  
16 expenditure.

17 Sec. 2. Subsection (a) of section 13b-50c of the general statutes is  
18 repealed and the following is substituted in lieu thereof (*Effective from*  
19 *passage*):

20 (a) There is established an account to be known as the "Connecticut  
21 airport and aviation account" which shall be a separate, nonlapsing  
22 account within the Grants and Restricted Accounts Fund established  
23 pursuant to section 4-31c. The account shall contain any moneys  
24 required by law to be deposited in the account. Moneys in the account  
25 shall be expended by the [Commissioner of Transportation, with the  
26 approval of the Secretary of the Office of Policy and Management,]  
27 executive director of the Connecticut Airport Authority for the  
28 purposes of airport and aviation-related purposes.

29 Sec. 3. Subdivision (19) of subsection (b) of section 1-210 of the  
30 general statutes is repealed and the following is substituted in lieu  
31 thereof (*Effective October 1, 2019*):

32 (19) Records when there are reasonable grounds to believe  
33 disclosure may result in a safety risk, including the risk of harm to any  
34 person, any government-owned or leased institution or facility or any  
35 fixture or appurtenance and equipment attached to, or contained in,  
36 such institution or facility, except that such records shall be disclosed  
37 to a law enforcement agency upon the request of the law enforcement  
38 agency. Such reasonable grounds shall be determined (A) (i) by the  
39 Commissioner of Administrative Services, after consultation with the  
40 chief executive officer of an executive branch state agency, with respect  
41 to records concerning such agency; and (ii) by the Commissioner of  
42 Emergency Services and Public Protection, after consultation with the  
43 chief executive officer of a municipal, district or regional agency, with  
44 respect to records concerning such agency; (B) by the Chief Court  
45 Administrator with respect to records concerning the Judicial

46 Department; [and] (C) by the executive director of the Joint Committee  
47 on Legislative Management, with respect to records concerning the  
48 Legislative Department; and (D) by the executive director of the  
49 Connecticut Airport Authority, with respect to records concerning the  
50 Connecticut Airport Authority. As used in this section, "government-  
51 owned or leased institution or facility" includes, but is not limited to,  
52 an institution or facility owned or leased by a public service company,  
53 as defined in section 16-1, other than a water company, as defined in  
54 section 25-32a, a certified telecommunications provider, as defined in  
55 section 16-1, or a municipal utility that furnishes electric or gas service,  
56 but does not include an institution or facility owned or leased by the  
57 federal government, and "chief executive officer" includes, but is not  
58 limited to, an agency head, department head, executive director or  
59 chief executive officer. Such records include, but are not limited to:

60 (i) Security manuals or reports;

61 (ii) Engineering and architectural drawings of government-owned  
62 or leased institutions or facilities;

63 (iii) Operational specifications of security systems utilized at any  
64 government-owned or leased institution or facility, except that a  
65 general description of any such security system and the cost and  
66 quality of such system may be disclosed;

67 (iv) Training manuals prepared for government-owned or leased  
68 institutions or facilities that describe, in any manner, security  
69 procedures, emergency plans or security equipment;

70 (v) Internal security audits of government-owned or leased  
71 institutions or facilities;

72 (vi) Minutes or records of meetings, or portions of such minutes or  
73 records, that contain or reveal information relating to security or other  
74 records otherwise exempt from disclosure under this subdivision;

75 (vii) Logs or other documents that contain information on the

76 movement or assignment of security personnel; and

77 (viii) Emergency plans and emergency preparedness, response,  
78 recovery and mitigation plans, including plans provided by a person  
79 to a state agency or a local emergency management agency or official.

80 Sec. 4. Subdivision (24) of subsection (b) of section 1-210 of the  
81 general statutes is repealed and the following is substituted in lieu  
82 thereof (*Effective October 1, 2019*):

83 (24) Responses to any request for proposals or bid solicitation issued  
84 or submitted by a public agency or any record or file made by a public  
85 agency in connection with the contract award process, until such  
86 contract is executed or negotiations for the award of such contract have  
87 ended, whichever occurs earlier, provided the chief executive officer of  
88 such public agency certifies that the public interest in the disclosure of  
89 such responses, record or file is outweighed by the public interest in  
90 the confidentiality of such responses, record or file;

91 Sec. 5. Subsection (d) of section 1-210 of the general statutes is  
92 repealed and the following is substituted in lieu thereof (*Effective*  
93 *October 1, 2019*):

94 (d) Whenever a public agency, except the Judicial Department, [or]  
95 Legislative Department or Connecticut Airport Authority, receives a  
96 request from any person for disclosure of any records described in  
97 subdivision (19) of subsection (b) of this section under the Freedom of  
98 Information Act, the public agency shall promptly notify the  
99 Commissioner of Administrative Services or the Commissioner of  
100 Emergency Services and Public Protection, as applicable, of such  
101 request, in the manner prescribed by such commissioner, before  
102 complying with the request as required by the Freedom of Information  
103 Act. If the commissioner, after consultation with the chief executive  
104 officer of the applicable agency, believes the requested record is  
105 exempt from disclosure pursuant to subdivision (19) of subsection (b)  
106 of this section, the commissioner may direct the agency to withhold  
107 such record from such person. In any appeal brought under the

108 provisions of section 1-206 of the Freedom of Information Act for  
 109 denial of access to records for any of the reasons described in  
 110 subdivision (19) of subsection (b) of this section, such appeal shall be  
 111 against the chief executive officer of the executive branch state agency  
 112 or the municipal, district or regional agency that issued the directive to  
 113 withhold such record pursuant to subdivision (19) of subsection (b) of  
 114 this section, exclusively, or, in the case of records concerning Judicial  
 115 Department facilities, the Chief Court Administrator or, in the case of  
 116 records concerning the Legislative Department, the executive director  
 117 of the Joint Committee on Legislative Management, or, in the case of  
 118 records concerning the Connecticut Airport Authority, the executive  
 119 director of the Connecticut Airport Authority.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>from passage</i>	15-120dd(b)
Sec. 2	<i>from passage</i>	13b-50c(a)
Sec. 3	<i>October 1, 2019</i>	1-210(b)(19)
Sec. 4	<i>October 1, 2019</i>	1-210(b)(24)
Sec. 5	<i>October 1, 2019</i>	1-210(d)

**Statement of Purpose:**

To (1) permit the executive director of the Connecticut Airport Authority to make nonbudgeted expenditures of up to one million dollars and expend moneys in the Connecticut airport and aviation account, and (2) include the Connecticut Airport Authority under the security exemptions to the Freedom of Information Act.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*